

1731

MAIL STOP  
AMENDMENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: J.E. Sealey II, et al.

Attorney Docket No.: WEYE117898/23441B

Application No.: 09/975,670

Art Unit: 1731 / Confirmation No.: 9294

Filed: October 10, 2001

Examiner: M.S. Alvo

Title: PROCESS FOR MAKING A COMPOSITION FOR CONVERSION TO  
LYOCELL FIBER FROM AN ALKALINE PULP HAVING LOW  
AVERAGE DEGREE OF POLYMERIZATION VALUES

**RESPONSE TRANSMITTAL LETTER**

Seattle, Washington 98101

August 5, 2005

TO THE COMMISSIONER FOR PATENTS:

A. Amendment Transmittal

Transmitted herewith is an amendment in the above-identified application.

- X   1. No additional claim fee is required, as shown below.
2. The claim fee has been calculated as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

	Claims Remaining After Amendment		Highest Number Previously Paid For		Present Extra		Rate		Additional Fee
Total Claims	11	-	20	=	0	x	50	=	0
Independent Claims	1	-	3	=	0	x	200	=	0
TOTAL									\$0

B. Additional Fee Charges or Credit for Overpayment

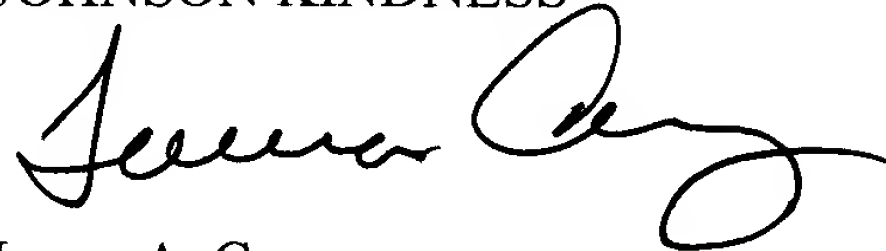
The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 03-1740. This authorization also hereby includes a request

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for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this document is enclosed.

Respectfully submitted,

CHRISTENSEN O'CONNOR  
JOHNSON KINDNESS<sup>PLLC</sup>



Laura A. Cruz

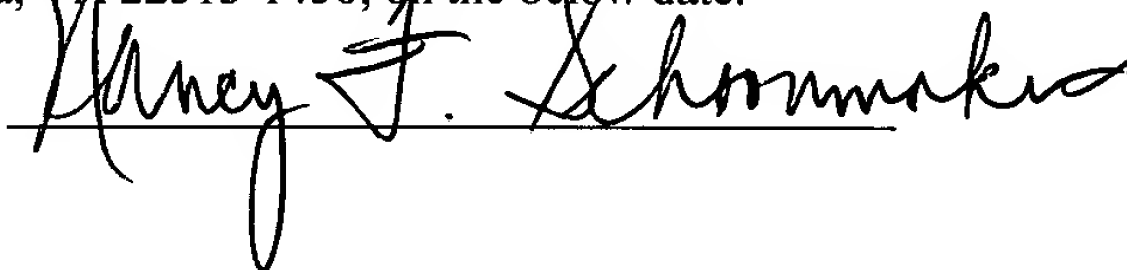
Registration No. 46,649

Direct Dial No. 206.695.1725

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

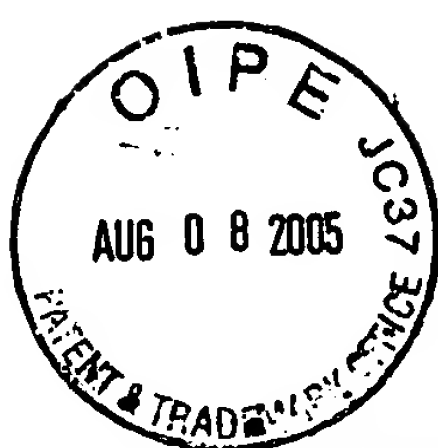
Date:

8/5/05



LXC:nfs

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**RESPONSE TO OFFICE ACTION**

Seattle, Washington 98101

August 5, 2005

TO THE COMMISSIONER FOR PATENTS:

**REMARKS**

Applicants note with appreciation that the final rejection has been withdrawn and a new Office Action has been issued.

Currently, Claims 1-11 are pending in the application. Applicants note with appreciation that the previous art rejections under 35 U.S.C. §103 have been dropped in view of applicants' arguments in the appeal brief.

**The Rejection of Claims 1-11 Under 35 U.S.C. §112, Second Paragraph**

Claims 1-11 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The Examiner has stated at page 4 of the Office Action mailed on March 9, 2004 (hereinafter "Office Action"), that "[t]he term 'without substantial increasing of the copper number' when read in view of the specification includes increases up to 100%. A doubling of the copper number is a substantial increase in copper number. Thus the term is indefinite. The argument that a 100% increase is not a substantial increase is not convincing. A 10% increase would be a substantial increase, a 100% increase is an extremely large increase and would not be considered 'without substantial increase.'"

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